

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
CLERK'S OFFICE

\_\_\_\_\_) NO. CRIM. A 05-10017-MLW  
UNITED STATES \_\_\_\_\_)  
v. \_\_\_\_\_) CRIM. NO. 05-10017-MLW  
ELMER TEJEDA PORTILLO, \_\_\_\_\_)  
Defendant \_\_\_\_\_)

DEFENDANT ELMER TEJADA-PORTILLO'S ASSENTED TO MOTION  
FOR LEAVE TO FILE HIS SENTENCING MEMORANDUM TWO DAYS LATE

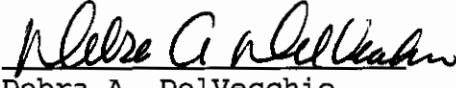
Defendant Elmer Tejada-Portillo hereby requests leave to file his Sentencing Memorandum, including requests for downward departures, and its attachments, which are filed with this motion for leave, one day late. The defendant's requests for downward sentencing departures were due to be filed on January 11, 2006.

As grounds therefore, defense counsel endeavored to provide the Court with a single, comprehensive sentencing submission. Unfortunately, the process, which included obtaining an English translation of some of the defendant's correspondence from his native Spanish, took longer than expected. Further, given that the sentencing memorandum was filed "under seal," counsel could not file it electronically.

Wherefore, defense counsel respectfully requests that her motion for leave be granted as reasonable and in the interests of justice. Assistant United States Attorney Nadine Pelligrini has indicated that she does not object to this motion.

Respectfully submitted,  
Elmer Tejada-Portillo,  
By his attorney,

DATED: January 12, 2006

  
Debra A. DelVecchio  
B.B.O. #542139  
DEL VECCHIO & HOUSEMAN  
The Perry Building  
15 Front Street  
Salem, MA 01970  
(978) 740-5999

**CERTIFICATE OF SERVICE**  
I hereby certify that a true and complete copy of this document was served upon the attorney of record for each party ~~and all parties~~ appearing, by mail, hand delivery, facsimile, ~~and computer~~ service, on 1/13/06

